

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

TERRI D. WHEELER,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of Social  
Security,

Defendant.

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3:06-0830

**ORDER**

Before the Court is the Report and Recommendation of Magistrate Judge Knowles in which he recommends that Plaintiff's Motion for Judgment on the Administrative Record be denied and that the decision of the Commissioner denying benefits be affirmed. The Plaintiff has filed an objection, Document #26.

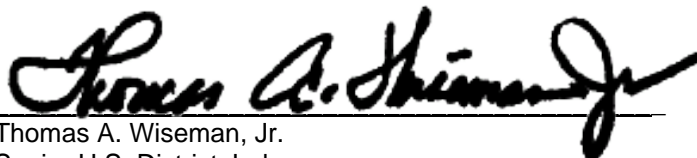
The issue for decision is whether there is substantial evidence in the record supporting the decision of the Commissioner. If so, the decision must be affirmed. Substantial evidence is more than a scintilla; it is evidence that a reasonable mind might accept as adequate to support a conclusion. *Richardson v. Perales*, 402 U.S. 389, 401 (1971). This Court may not try the case *de novo*, weigh evidence, or make credibility determinations. *Hogg v. Sullivan*, 987 F.2d 328, 331 (6<sup>th</sup> Cir.1993). If the decision is supported by substantial evidence, the decision must stand even if this Court would resolve the issues of fact differently.

*Born v. Secretary*, 923 F.2d 1168, 1173 (6<sup>th</sup> Cir. 1990).

The Administrative Law Judge, the parties in their briefs, the Magistrate Judge in his Report and Recommendation have exhaustively recounted the evidence of the Plaintiff's many complaints and visits to doctors. The Court finds there is substantial evidence to support the decision of the Commissioner, and the Report and Recommendation is adopted and affirmed by this Court.

Plaintiff's Motion for Judgment on the Administrative Record, Document #11, is **DENIED**, and this case is **DISMISSED**.

It is so **ORDERED**.

A handwritten signature in black ink, reading "Thomas A. Wiseman, Jr.", written over a horizontal line.

Thomas A. Wiseman, Jr.  
Senior U.S. District Judge